
BACKGROUND

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Ministry of Health

EXAMPLES OF OUTDATED PUBLIC HEALTH LEGISLATION

Outdated sections in the current Health Act that will be removed because they are now covered by modern legislation, or they are no longer needed, include:

- Regulation of ice supplies – This provision dates to the era when the iceman delivered blocks of ice to families as their source of refrigeration. Under this old legislation, Cabinet could require local boards of health to enforce regulations regarding all matters related to ice.
- Regulation of vegetable supplies – This dated provision placed enforcement responsibilities for the safety of vegetables on local boards of health. Under the regulation, Cabinet could develop and require local boards of health to enforce regulations regarding “the source of supply, quality, purity, place of storage and mode of sale of all vegetables.” Vegetables for human consumption can now be regulated through the Food Safety Act.
- Hospital Construction and Maintenance – Under the old Health Act, “A municipality may establish or erect and maintain one or more hospitals for the reception of persons having smallpox or any other infectious or contagious disease that may be dangerous to public health.” Health authorities and the Ministry of Health have now taken on this role, relieving municipalities of the responsibility. The provision dates back to pre-public health insurance times when large scale epidemics were major threats to communities.
- Establishment of offensive trades – This provision dates back to 1893 and the first comprehensive version of the Health Act. The section helped to ensure communities were protected from a host of potentially noxious processes and hazards, and ensured health officials had some say in where some potentially hazardous industries were established within communities. Under the provision, it was an offence to establish without permission, a “noxious or offensive trade, business or factory,” which includes “blood boiling, bone boiling, refining of coal oil, extracting oil from fish, storing hides, soap boiling, tallow melting, tripe boiling, the manufacture of gas, alkali, sulphuric acid, chemical manure, nitric acid, sulphate and muriate of ammonia, chlorine or bleaching powder.” This language is the same as can be found in the 1893 version of the first comprehensive Health Act. In present times, there are many local, provincial, and federal statutes that now regulate the establishment and operation of these types of businesses.

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